



01-05-05

PTO/SB/37 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Request for Deferral of Examination 37 CFR 1.103(d)

Application Number	10/735,366	Art Unit	unassigned
Filing Date	January 4, 2005	Examiner Name	unassigned
First Named Inventor	Michael J. Douglas	Attorney Docket Number	64180-198003

Address to: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby request deferral of examination under 37 CFR 1.103(d) for the above-identified (non-reissue) utility or plant application filed under 37 CFR 1.53(b) for a period of 36 months (maximum 3 years), from the earliest filing date for which a benefit is claimed. Deferral of examination under 37 CFR 1.103(d) is suspension of action. As a result, any patent term adjustment may be reduced. See 37 CFR 1.704(c)(1).

Note: The request will not be granted unless the application is in condition for publication as provided in 37 CFR 1.211(c) and the Office has not issued either an Office action under 35 U.S.C. 132 or a notice of allowance under 35 U.S.C. 151.

☐ If the application is filed prior to November 29, 2000:

I hereby request voluntary publication of the above-identified application under 37 CFR 1.221. A copy of the application in compliance with the Office's electronic filing system requirements has been submitted and the confirmation number is _____

Note: A request for voluntary publication under 37 CFR 1.221 requires a copy of the application in compliance with the Office's electronic filing system (EFS) requirements as set forth in the USPTO Electronic Business Center Web Page at www.uspto.gov/ebc, the publication fee set forth in 37 CFR 1.18(d), and the processing fee for the voluntary publication set forth in 37 CFR 1.17(i).

☐ If applicant previously filed a nonpublication request under 37 CFR 1.213(a):

I hereby rescind under 37 CFR 1.213(b) the previous filed request that the above-identified application not be published under 35 U.S.C. 122(b).

Note: Application will be scheduled for publication at 18 months from the earliest claimed filing date for which a benefit is claimed.

Fees

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayment, to Deposit Account No. 13-0206. I have enclosed a duplicative copy of this form for fee processing.

i. ☒ Processing fee set forth in 37 CFR 1.17(i) for request for deferral of examination.

ii. ☐ Publication fee set forth in 37 CFR 1.18(d).

iii. ☐ Processing fee set forth in 37 CFR 1.17(i) for voluntary publication.

iv. ☐ Other _____

b. ☐ Check in the amount of \$ _____ is enclosed.

c. ☐ Payment by credit card (Form PTO-2038 enclosed).

WARNING: Information in this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Note: The publication fee set forth in 37 CFR 1.18(d) and the processing fee in 37 CFR 1.17(i) for deferral of examination are required when the request of deferral of examination is filed.

Signature		Date	January 4, 2005
Name (Print/Typed)	Stephen T. Scherrer	Registration Number	45,080
Note: Signature of all the inventors or assignees of record of the entire interest or their representative(s) are inquired. Submit multiple forms for more than one signature, see below*.			
<input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.			

This collection of information is required by 37 CFR 1.103(d). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.